

**IN THE CHANCERY COURT OF LEWIS COUNTY  
AT HOHENWALD, TENNESSEE**

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)  
IN RE: SENTINEL TRUST COMPANY     ) Case No. 4781  
)

**ORDER CONCERNING COUNSEL APPEARANCE**  
**AT HEARING ON SENTINEL TRUST RECEIVER'S FEE APPROVAL MOTIONS**

In open court on August 29, 2005, the Sentinel Trust Receiver requested that its counsel be excused from appearing at the Court's civil motion docket call if the only matter pending was the monthly motion for approval of Receiver, Outside Counsel and Third Party Contractors Fees ("fee approval motion") and if no written objections had been filed regarding that fee approval motion.<sup>1</sup> The Sentinel Trust Receiver asserted that not having counsel appear, if the fee approval motion is not contested, would save the Sentinel Trust Receivership estate significant costs and expenses. The Sentinel Trust Receiver further asserted that its counsel would be present on the noticed hearing date if the Court communicated, prior to that date, questions concerning the fees for which approval was sought and/or its counsel would be present at the next scheduled civil motion docket if the Court had questions on the noticed hearing date concerning the pending fee approval motion.

The Court is persuaded that the Sentinel Trust Receiver's request has merit. The Court also notes that in open court on August 29, 2005, when the Sentinel Trust Receiver made its request, the Court inquired of Donald Schwendimann, Esq. (who was present at the August 29,

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<sup>1</sup> By previous Order, entered on August 4, 2005, any written objections are required to be filed seven (7) days prior to the noticed hearing date of the motion.

2005 civil motion docket) as to whether he had objection to what the Sentinel Trust Receiver was requesting -- Mr. Schwendimann's response being that he had no objection.

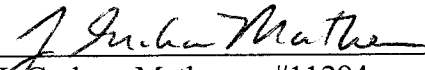
Accordingly, it is ORDERED that counsel for the Sentinel Trust Receiver need not appear at the Court's civil motion docket if the only matter pending is the routine monthly fee approval motion and if there are no written objections filed one week prior to the noticed hearing date for that motion. The Sentinel Trust Receiver will make its counsel available, however, if the Court has questions concerning the motion for approval of fees either on the noticed hearing date or on the next scheduled civil motion docket. In filing its fee approval motion, the Sentinel Trust Receiver will also submit a proposed order (with a copy to all listed on the Certificate of Service) for the Court to sign and enter if it has no questions and there are no objections made concerning the fee approval motion. The Sentinel Trust Receiver will also include, in the Notice of Hearing portion of any fee approval motion, language that will give notice of the potential that the Court will rule upon the motion and enter the proposed order, without hearing, if no written objections are filed one week prior to the noticed hearing date or if no verbal objections are made on the noticed hearing date.

It is so ORDERED, this the \_\_\_\_\_ day of September, 2005.

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Hon. Jeffrey S. Bivins  
Circuit Judge Sitting as Chancellor

Submitted for Approval

  
J. Graham Matherne, #11294  
WYATT, TARRANT & COMBS, LLP  
2525 West End Avenue, Suite 1500  
Nashville, Tennessee 37203-1423  
(615) 244-0020

*Counsel for Jeanne Barnes Bryant  
and Receivership Management, Inc.,  
Receiver of Sentinel Trust Company*

## CERTIFICATE OF SERVICE

This is to certify that on August 30<sup>th</sup>, 2005 a copy of the foregoing Order has been sent by First Class U.S. Mail, postage paid, and also by facsimile transmission as noted, to:

James S. Chase  
John A. Decker  
Hunton & Williams LLP  
900 South Gay Street, Suite 2000  
P.O. Box 951  
Knoxville, TN 37901

Carrol Kilgore  
Branstetter, Kilgore, Stranch & Jennings  
227 Second Avenue North, 4<sup>th</sup> Floor  
Nashville, TN 37201  
also via fax (615-250-3937)

Donald Schwendimann  
12 East Fourth Avenue  
P.O. Box 366  
Hohenwald, TN 38462  
also via fax (931-796-5692)

Larry Stewart  
Stokes, Bartholomew, Evans & Petree  
424 Church Street, Suite 2800  
Nashville, TN 37219

David D. Peluso  
P.O. Box 250  
Hohenwald, TN 38462-0250

James S. Hereford, Jr.  
310 W. College Street  
P.O. Box 802  
Fayetteville, TN 37334-0802

William B. Hubbard  
Weed, Hubbard, Berry & Doughty  
SunTrust Bank Bldg., Suite 1420  
201 Fourth Avenue North  
Nashville, TN 37219

Diana M. Thimmig  
Roetzel & Andress  
1375 East Ninth Street  
One Cleveland Center, Ninth Floor  
Cleveland, OH 44114

Janet M. Kleinfelter  
Senior Counsel  
Office of the Attorney General  
Financial Division  
425 5th Avenue North  
P.O. Box 20207  
Nashville, TN 37243

  
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J. Graham Matherne